

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-v-	:	20cr52-6 (DLC)
	:	
DEREK LIVINGSTON,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
-----	X	

DENISE COTE, District Judge:

There being disagreement between the Government and defendant regarding how to calculate the offense level of count three of the indictment, it is hereby


ORDERED that a Fatico hearing is scheduled for September 17, 2021 at 9:00 AM in Courtroom 18B, 500 Pearl Street, New York, NY 1007 to address this issue.

IT IS FURTHER ORDERED that by no later than September 10, 2021, the parties shall disclose any anticipated witnesses in connection with this hearing.

IT IS FURTHER ORDERED that the parties shall file any written submissions in connection with this hearing by no later than September 10, 2021.

SO ORDERED:

Dated: New York, New York
August 11, 2021



DENISE COTE
United States District Judge